

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
Edward D. Musho	:	Chapter 13
	:	Case No.: 21-10986-ELF
Debtor(s)	:	

**MOTION TO SELL REAL PROPERTY FREE AND CLEAR OF LIENS AND
ENCUMBRANCES**

Debtor, Edward D. Musho, by and through Attorney Brad J. Sadek, hereby moves this Honorable Court to Sell the debtor's Real Property under Eastern District of Pennsylvania Local Rule 6004-1 and Section 363 of the United States Bankruptcy Code and in support thereof avers the following:

1. Debtor filed the Chapter 13 Bankruptcy Petition on April 13, 2021.
2. The Chapter 13 Plan was confirmed on January 11, 2022.
3. The subject real property is located at 2311 Chestnut Avenue, Ardmore, PA, 19003 (hereinafter referred to as "the property") and is jointly-owned by the Debtor and spouse, Marisa Musho.
4. Debtor believes it to be in his best financial interest to sell the property.
5. In furtherance of the sale, Debtor retained the services of Robin Kemmerer, a licensed realtor with Robin Kemmerer Associates, Inc.
6. On or about December 18, 2021, Debtor, by and through his realtor, entered into an Agreement of Sale of the property in the amount of \$327,200.00. A true and correct copy of the Agreement of Sale is attached hereto and labeled as **Exhibit "A."**
7. The settlement date for the sale of the subject property is scheduled for February 16, 2022.

8. The buyer, Ryan Dennis Quinn, is not an insider of the Debtor and the sale represents and arms-length transaction between the parties made without fraud and/or collusion.
9. Wells Fargo Bank, N.A. holds two mortgages in the amounts of \$85,867.32 (POC #2-1) and \$35,500.35 (POC #4-1).
10. The debtor has paid a total of \$22,303.00 to the Chapter 13 Trustee.
11. The base amount of the Confirmed Chapter 13 Plan, totaling \$151,252.00, shall be immediately cured by the debtor with proceeds from the sale.
12. Debtor is desirous of receiving the total exemption in the sum of \$25,150.00 from his portion of the sale proceeds plus any sums remaining after all claims are satisfied.

WHEREFORE, Debtor, by and through the undersigned counsel, respectfully requests this Honorable Court to enter an Order: (i) Granting this Motion, (ii) Authorizing the Debtor to sell the Property to the proposed buyer under the terms of that Agreement for the Sale of Real Estate free and clear of liens, claims interests and encumbrances, and, (iii) Granting the Debtor such other and further relief to which they may be justly entitled.

Dated: January 14, 2022

/s/Brad J. Sadek, Esq

Attorney for Debtor
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